Mayor Kristen Brown called a regular meeting of the City Common Council to order at approximately 6:00 P.M. in the City Council Chambers.

I. Meeting Called to Order

- A. Opening Prayer was given by Josh Britton with St. Peter's Lutheran Church.
- B. Pledge of Allegiance was led by Mayor Brown.
- C. Roll Call was taken. Dascal Bunch, Frank Jerome, Frank Miller, Tim Shuffett, Aaron Hankins, and James Lienhoop were present. Ryan Brand was absent.
- D. Councilor Tim Shuffett made a motion to approve the minutes as presented from the City Council meeting of May 21, 2013. Councilor Dascal Bunch seconded the motion. Motion passed by a unanimous vote of six (6) to zero (0).

II. Unfinished Business Requiring Council Action

A. Second Reading of an Ordinance entitled "ORDINANCE NO. 11, 2013, AN ORDINANCE AMENDING THE COLUMBUS AIRPARK FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN." (Airpark PUD Modification). Jeff Bergman, Planning Director, presented the ordinance by giving an overview of the request being made by the Airport Board to amend the terms of the Columbus AirPark Planned Unit Development (PUD). The proposal is to make modifications regarding student housing, a community garden, an expansion of the limited retail area. Jeff suggested a minor change to the definition in Section 1: Columbus Airpark PUD Modified, to eliminate the word "either" for students enrolled at an institution of higher education at the Airpark or for students on internship that are working in the Columbus area. Also, the word "and" would be added before subsection (2). The sentence would read as follows:

The student housing shall be limited to (1) students enrolled at IUPUC, Ivy Tech — Columbus, or some other institution of higher education located primarily at the Columbus Airpark and/or (2) students enrolled at other institutions of higher learning and participating in internships or other work study programs with an employer located in the City of Columbus.

Jeff stated the Columbus Plan Commission gave a unanimous favorable recommendation on this request. Kathy Oren, Executive Director with Community Education Coalition (CEC), gave a brief recap of key points regarding student housing. Brian Payne, Airport Director, stated the airport has a vested interest in this project and believes this is viable development for the community. A member of the IUPUI law enforcement explained that an advanced law enforcement plan is being addressed and discussed with the schools, airport, and CEC. Much discussion followed. Mayor Brown opened the meeting for public comment. There

were no comments from the public. Councilor Shuffett made a motion to approve the second reading. Councilor Bunch seconded the motion. Councilor Shuffett made a motion to amend the Ordinance as presented. Councilor Jerome seconded the motion to amend. Motion passed by vote of five (5) in favor and one (1) opposed. Councilor Hankins voted nay. Tim Shuffett made a motion to approve and adopt the ordinance as amended. Dascal Bunch seconded the motion. Motion passed by a vote of five (5) to one (1). Councilor Hankins voted nay.

Councilor Lienhoop made a motion to amend the Agenda in order for two (2) tax abatements to be heard at this time. Councilor Jerome seconded the motion. Motion passed by vote of five (5) in favor and one (1) opposed. Councilor Hankins voted nay.

III. New Business Requiring Council Action

- A. Reading of a Resolution entitled "RESOLUTION NO. 11, 2013, RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Lindal North America, Inc.) Chris Schilling, Communications and Program Director, along with Richard Tracy, Controller with Lindal North America, Inc. presented this request for tax abatement. Lindal North America, Inc. is requesting a tax abatement on personal property in conjunction with the purchase and installation of new manufacturing equipment at its existing plant located at 4775 Progress Drive in Columbus, in the amount of \$2,130,800.00. The property is located in a previously designated Economic Revitalization Area. Mr. Schilling further stated that, as a result of this expansion, 48 jobs will be retained and 20 new jobs will be added. Mr. Tracy explained Lindal North America, Inc. is the manufacturer of aerosol valve and actuators, and have been in Columbus since 2008. Councilor Shuffett stated the Incentive Review Committee met prior to the Council meeting and found Lindal North America, Inc. to be in substantial compliance. Glenn Petri, 1614 27th Street, Columbus, stated tax abatements are really sponsored by the tax payers of Columbus because citizens' taxes won't go down because the company is not paying taxes. He wants to make sure Lindal North America, Inc. gives local companies opportunities to provide services. Councilor Shuffett made a motion to approve the abatement for ten (10) years. Councilor Jerome seconded the motion. Motion passed by a vote of four (4) in favor and one (1) opposed. Councilor Hankins voted nay and Councilor Lienhoop abstained from voting.
- B. Reading of a Resolution entitled "RESOLUTION NO. 12, 2013, RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Rightway Fasteners, Inc.) Chris Schilling, along with Ron Miller, General Manager with Rightway Fasteners, Inc. presented this request for tax abatement. Rightway Fasteners is requesting a tax abatement on personal property in conjunction with a \$3,000,000.00 investment for the purchase and installation of new cold forging machines, a thread rolling machine, and a heat treatment furnace. As a result of this expansion, Rightway Fasteners, Inc. will retain 278 jobs and add five new jobs at its existing plant located at 7945 S International Drive in Columbus.

The property is located in a previously designated Economic Revitalization Area. Councilor Lienhoop asked Mr. Miller to explain the difference between a screw and a bolt. Mr. Miller stated a screw is usually in the form of 4mm to an 8mm which is their joint venture with OSR. Rightway Fasteners, Inc. produces high tension bolts for Toyota which goes from 8mm all the way up to 18 mm bolt. Brief discussion followed. Councilor Lienhoop stated the Incentive Review Committee met prior to the Council meeting and found Rightway Fasters, Inc. to be in substantial compliance. There were no comments from the public. Councilor Lienhoop made a motion to approve the tax abatement with a ten (10) year limit. Dascal Bunch seconded the motion. Motion passed by a vote of five (5) in favor and one (1) opposed. Councilor Hankins voted nay.

II. Unfinished Business Requiring Council Action

B. Second Reading of an Ordinance entitled "ORDINANCE NO. 12. 2013. AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATIONS OF FUNDS FOR THE BUDGET YEAR 2013." Jeff Logston, City Attorney, presented the request for an additional appropriation in the total amount of \$2,147,000.00 from the General Fund. The items and amounts are as follows: two (2) fire apparatus - \$1,250,000.00, digital fire radios - \$185,000.00, facility improvements / asset preservation at all six (6) fire stations, City Hall and Animal Care Services - \$250,000.00, Hamilton Center roof project - \$400,000.00, two (2) vehicles for the Parks Department (SUV and pickup truck) - \$62,000.00. Discussion followed. Mayor Brown asked the Council to consider appropriating the \$462,000.00 Parks projects from the Parks Department rather than General Fund. She stated the Parks General Fund had a significant balance at the end of last year, close to 60% of annual operating. Much discussion followed. Jamie Brinegar, Director of Business Services with the Parks Department, explained the balance is the six (6) month recommended reserve level by the State Board of Accounts. Mayor Brown opened the meeting for public comment. Mike Lovelace, 2711 Taylor Road, said \$62,000.00 is an exorbitant amount of money for two (2) vehicles and the Parks Department should be investigated for money being spent, wasteful spending. Public meeting was closed. Frank Jerome made a motion to pass the second reading and adopt the ordinance. Tim Shuffett seconded the motion. Motion passed by a vote of five (5) to one (1). Aaron Hankins voted nay.

III. New Business Requiring Council Action

- C. Reading of a Resolution entitled "RESOLUTION NO. 13, 2013, RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, AMENDING THE DESIGNATION OF SPECIFIC CAPITAL IMPROVEMENT PROJECTS AS THE 2013 CAPITAL BUDGET." Jeff Logston presented the resolution and explained this would amend the 2013 capital budget to reflect the appropriate funds, items and amounts for the additional appropriations in 2013. The list reflects several amendments. Discussion followed. No one from the public spoke. Councilor Jerome made a motion to approve the resolution. Councilor Shuffett seconded the motion. Motion passed by a vote of five (5) to one (1). Nay vote was Councilor Hankins.
- D. Public Hearing and First Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A

CUMULATIVE CAPITAL DEVELOPMENT FUND PURSUANT TO INDIANA CODE 36-9-15.5." Jeff Logston presented the ordinance and described the process for reestablishing the Cumulative Capital Development Fund (CCD). Jeff explained the fund was established several years ago and has since trended down to the current rate of \$0.0346 per \$100 assessed value. The city has an opportunity to re-establish at a rate of \$0.05 per \$100 in assessed value, which would increase the amount of the levy by approximately \$350,000.00. Councilor Jerome asked if the additional money would be allocated for a specific project. Mayor Brown stated our needs are great in terms of deferred capital expenditures, but we have more to do in terms of exploring cost cutting and efficiencies. Discussion followed. Councilor Jerome would consider this due to the large amount of capital needs. Councilor Lienhoop agrees that the city has many needs, but sees that the city has a healthy general fund balance and doesn't feel the need to re-establish the rate at this time. He stated we can certainly look at this in the future. Councilor Shuffett agreed with Councilor Lienhoop. Councilor Miller doesn't feel it would raise enough funding at this point and is not in favor of passage. There were no comments from the public. Ordinance died for lack of a motion.

E. Initial Compliance Determination regarding "City of Columbus, Indiana Investment and Job Creation/Retention Agreement" with NuSun. Jeff Logston stated in 2011 the City of Columbus entered into an Investment and Job Creation/Retention Agreement with NuSun, Inc., which loaned NuSun \$325,000.00 from local funds, which is a mix between City EDIT, City TIF or Redevelopment Commission, and County EDIT. Also at that time, NuSun had acquired \$500,000.00 from the Lawrenceburg Economic Regional Development Grant Program. The City also assisted NuSun in the process of an Indiana Office of Community Rural Affairs (IOCRA) for an ongoing funding source. This arrangement was set up as a forgivable loan agreement, with certain milestones to be met. One milestone to be met was the creation of 80 jobs by December 31, 2012. There were also reporting deadlines and requirements; May 15 was the annual reporting requirement for NuSun to inform the city regarding its status of certain items for substantial compliance. Nothing was received by that time. Ryan Stout, owner of NuSun, sent some information to the city on today's date; however, Jeff stated it does not change the threshold of information. Administrative Resources association (ARa) monitors the IOCRA grant and they were able to obtain information that reflects the creation of 15 full-time equivalent positions as of February of this year. As of the end of May, these positions had been reduced to five (5). Jeff explained the process. Council, based upon the initial summary of information and update supplied, could make an initial determination of non-compliance with those requirements. Should that be done, a public hearing would be held, at which time NuSun would have the opportunity to come in and discuss the current status, plans, and anything else they feel relevant, at which time a final determination would be made regarding substantial compliance. Jeff stated the \$825,000.00 has been used and the city holds a mortgage on the property. The money that has not been used in full is the IOCRA portion. Of the \$600,000.00 that had been awarded, approximately \$72,000.00 has been dispersed. That process has been closed for failure to meet job creation goals. Much discussion followed. Mayor Brown opened the floor for public comment. Mike Lovelace stated he has driven by the business many times and never seen any activity. He also stated they have not paid any

taxes and are behind \$20,000.00. If the building is owned by the city and county, where does that leave us? Max Lemley spoke. Jeff Logston explained the property taxes are delinquent in the approximate amount of \$22,000.00. The city holds the mortgage, so if the property goes to tax sale the city would have to take some consideration on that property at that time to protect our interests. Tom Heller, 410 6th Street, stated this sounds like it needs to be unwound. Discussion followed. Councilor Jerome made a motion to make an initial determination of noncompliance and initiate a public hearing. Tim Shuffett seconded the motion. Motion passed unanimously.

IV. Other Business

A. Standing Committee and Liaison Reports – Councilor Miller stated a special Solid Waste District meeting will held this Thursday, June 6, 2013 at 8:00 A.M. to review the request for proposals.

B. Discussion Items:

- 1.) Airsoft and BB/pellet guns Jeff Logston provided Council with a proposed, revised copy of the Ordinance. Jeff stated this revision tried to address the items that were brought up at the last Council meeting and gave a brief overview of the changes. Jason Maddix, Police Chief, likes the revisions. Much discussion followed. Judy Harpenau, 3207 Overlook Court, is very pleased to hear that this is moving along. She stated anything we can do to protect our children with public safety and education is a good thing. Max Lemley is glad to see this go forward. Councilor Jerome stated he is happy with the changes. Councilor Bunch asked for this ordinance to be put on the next Council agenda.
- 2.) Ethics Resolution Councilor Shuffett explained the Council would like for the Ethics Resolution to be brought back up for consideration. Councilor Shuffett stated that he had asked prior City Attorney, Kelly Benjamin, to obtain feedback from city employees regarding the zero amount set forth in the current Resolution and believes this has a negative impact on the employees based on the information he received from Kelly. Councilor Shuffett feels it should be increased to a minimum dollar amount. He suggested \$50.00 and a cumulative of \$250.00 per year. Mayor Brown stated the gift rule only applies to companies doing business or seeking to do business with the City of Columbus. She is an advocate of a small amount. Councilor Jerome stated he can see where a zero tolerance can be intolerable and can be used as a weapon against people. He is not opposed to setting a reasonable amount. Councilor Lienhoop believes it makes sense to revisit this and asked that this be put on the next agenda. Tom Heller does like what he is seeing; stating we can be different and we should choose to be different. Max Lemley said this is disappointing and he feels it should stay at zero. It was agreed the resolution would be placed on the next agenda with dollar amounts blank to be filled in when a dollar amount has been decided.
- 3.) Rainy Day Fund Transfer Jeff Logston explained, from a budgetary standpoint, there may not be a need for a Rainy Day Fund Transfer should Council decide not to lose the ability to take maximum levy. Jeff stated if there is a desire to make a transfer that could be discussed.

- 4.) Parks Non-Reverting Fund-Appropriation through Council Budget Process Mayor Brown explained there is one fund in the city that is not appropriated by City Council and it's the Parks Non-Reverting Fund. Parks and Recreation put the majority of revenue fees into this fund and they also expend from this fund. It amounts to approximately \$1.5 million and currently has a balance of \$500,000.00. Mayor would like to put this on the next agenda. Ben Wagner, Director of Parks and Recreation, explained the non-reverting fund was established in order to be as self-sufficient as possible.
- C. Next regular meeting is scheduled for **Tuesday**, **June 18**, **2013 at 6:00 o'clock P.M. in City Hall.**
- D. Mayor Brown announced the Flood Risk Management Plan Presentation and Open House is scheduled for Wednesday, June 5, 2013 at 6:00 P.M. in the meeting hall.
- E. Dascal Bunch made a motion to adjourn the meeting. Tim Shuffett seconded the motion. Motion passed with a unanimous vote. The meeting adjourned at approximately 9:14 P.M.